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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

STERLING SAVINGS BANK, a  
Washington stock savings bank,

09-CV-452-AC

Plaintiff,

ORDER

v.

JHM PROPERTIES, LLC, an  
Oregon limited liability  
company; JAMES GEORGE; JAY  
MOSES; and MARY JO MOSES,

Defendants.

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**BROWN, Judge.**

Magistrate Judge John V. Acosta issued Findings and Recommendation (#54) on February 17, 2010, in which he recommends the Court grant Plaintiff's Motion (#30) for Summary Judgment. Defendants filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003) (*en banc*); *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988).

In their Objections, Defendants reiterate the arguments in

their Answers and Memoranda in Opposition to Plaintiff's Motion for Summary Judgment. This Court has carefully considered Defendants' Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#54) and, therefore, **GRANTS** Plaintiff's Motion (#30) for Summary Judgment.

IT IS SO ORDERED.

DATED this 4<sup>th</sup> day of May, 2010.



ANNA J. BROWN  
United States District Judge